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11 **UNITED STATES DISTRICT COURT**  
12 **SOUTHERN DISTRICT OF CALIFORNIA**

13 LEE J. WARE, an individual, and  
14 IRMA WARE, an individual,

15 Plaintiff,

16 vs.

17 BAYVIEW LOAN SERVICING,  
18 LLC, AZTEC FORECLOSURE  
CORPORATION, and DOES 1-100,  
inclusive,

19 Defendants.

CASE NO. 13-CV-1310 JLS (NLS)

**ORDER**

(ECF No. 4)

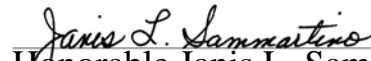
20 Presently before the Court is Plaintiffs Lee J. Ware and Irma Ware's  
21 ("Plaintiffs") *ex parte* motion for a temporary restraining order or stay and an order to  
22 show cause why a preliminary injunction should not issue to prevent the sale upon  
23 foreclosure of their home in El Cajon, California, scheduled for June 14, 2013. (ECF  
24 No. 4.)

25 Having reviewed the materials submitted, the Court **HEREBY ORDERS** that  
26 any sale or other steps to deprive Plaintiffs of their residence in and possession of the  
27 property located at 8248 Rockview Drive, El Cajon, California, **SHALL NOT** be  
28 executed until after a hearing can occur regarding a preliminary injunction.

1 Defendants Bayview Loan Servicing, LLC and Aztec Foreclosure Corporation  
2 **SHALL FILE** an opposition on or before Monday, June 17, 2013, and Plaintiffs  
3 **SHALL FILE** a reply on or before Wednesday, June 26, 2013. The parties are  
4 **HEREBY ORDERED** to appear for a preliminary injunction hearing on Thursday,  
5 June 27, 2013, at 4:00p.m. in Courtroom 4A.

6 **IT IS SO ORDERED.**

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8 DATED: June 13, 2013

9   
10 Honorable Janis L. Sammartino  
11 United States District Judge  
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